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FROM: Rick Shoop**DATE:** September 29, 2004

Number of pages with cover page:	7
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Comments:

Attorney Docket No.: 473912000100
Group Art Unit: 3739
Examiner: H. Johnson
Serial No.: 09/629,242
Filed: July 31, 2000
Inventors: Benjamin D. PLESS
Title: PROCESS FOR PHOTODYNAMIC CARDIAC ABLATION THERAPY AND DEVICES
FOR THOSE PROCEDURES
Documents Enclosed:
1. Transmittal Form (1 page)
2. Fee Transmittal + copy (2 pages)
3. Notice of Change of Status and Payment of Deficiency Owed Under 37 C.F.R. § 1028(c) (3 pages)

BEST AVAILABLE COPY

pa-923568

PTO/SD/21 (04-04)

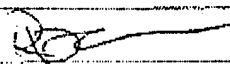
Approved for use through 07/31/2006 OMB 0651-0031

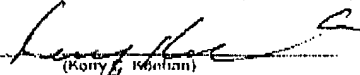
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/629,242	
	Filing Date	July 31, 2000	
	First Named Inventor	Benjamin D. PLESS	
	Art Unit	3739	
	Examiner Name	H. Johnson	
Total Number of Pages in This Submission	6	Attorney Docket Number	473912000100

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form + copy (2 pages) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Notice of Change of Status and Payment of Deficiency Owed Under 37 C.F.R. § 1.28(c) (3 pages) Facsimile Cover Sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Name or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Rick Shoop - 45,763
Signature	
Date	September 29, 2004

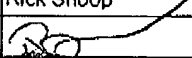
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.	
Dated: September 29, 2004	Signature:  (Kerry Nathan)

pa-923542

PTO/SR/17 (10-03)

Approved for use through 7/31/2006. OMB 0651-0032
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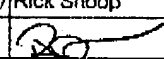
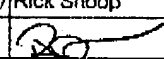
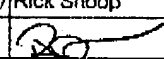
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unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to review - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1602</td><td>480</td><td>2602</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1603</td><td>840</td><td>2603</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1007</td><td>50</td><td>1007</td><td>50</td><td>Processing fee under 37 CFR 1.17(a)</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Sheet</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (lines number of properties)</td><td></td></tr> <tr><td>1009</td><td>770</td><td>2009</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1010</td><td>770</td><td>2010</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1001</td><td>770</td><td>2001</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1002</td><td>900</td><td>1002</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify): Payment of Delinquency Owed</td><td>665.00</td></tr> <tr> <td colspan="5">SUBTOTAL (3) (\$)</td> <td>665.00</td> </tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - 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Name (Print/Type)	Rick Shoop	Registration No. (Attorney/Agent)	45,763																																																																																																																																																																																										
Signature		Telephone	(650) 813-5804																																																																																																																																																																																										
		Date	September 29, 2004																																																																																																																																																																																										

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FOR FEE PROCESSING

PTO/SB/17 (10-03)
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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27				Filing Date	July 31, 2000																																																																																																																																																																																																																																																																																																																																										
				First Named Inventor	Benjamin D. PLESS																																																																																																																																																																																																																																																																																																																																										
				Examiner Name	H. Johnson																																																																																																																																																																																																																																																																																																																																										
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Name (Print/Type): Rick Shoop		Registration No. (Attorney/Agent): 45,763		(Complete if applicable) Telephone: (650) 813-5804																																																																																																																																																																																																																																																																																																																																											
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Dated: September 29, 2004 Signature: 

(Kory C. Keenan)

Docket No.: 473912000100
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Benjamin D. PLESS

Application No.: 09/629,242

Art Unit: 3739

Filed: July 31, 2000

Examiner: H. Johnson

For: PROCEDURES FOR PHOTODYNAMIC
CARDIAC ABLATION THERAPY AND
DEVICES FOR THOSE PROCEDURES

NOTICE OF CHANGE OF STATUS AND
PAYMENT OF DEFICIENCY OWED
UNDER 37 C.F.R. §1.28(C)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It has recently come to our attention that a good faith error appears to have been made regarding the entity status of the above-referenced application and that some fee payments appear to have been made in error claiming small entity discount.

As required under 37 C.F.R. §1.28(c), to correct these oversights and in order for the error in payments to be excused we hereby submit an itemization of all erroneous small entity payments and the differential fees, together with the deficiency payment.

Application No.: 09/629,242

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Docket No.: 473912000100

Itemization of all erroneous small entity payments and the differential fees:

TYPE OF FEE	DATE PAID	SMALL ENTITY FEE PAID	CURRENT FEE AMOUNT	LARGE ENTITY DIFFERENTIAL FEE
ISSUE FEE	SEPTEMBER 20, 2004	\$665.00	\$1330.00	\$665.00
TOTALS		\$665.00 (Total Fees Previously Paid)	\$1330.00 (Current Fee Amount)	\$665.00 (Corrected Fee Amount to be charged to Deposit Account No. 03-1952)

pa-923524

Application No.: 09/629,242

3

Docket No.: 473912000100

REMARKS

Based upon the above, Applicant believes the differential between the small entity fees previously paid and the large entity fees now owing should total \$665.00. Applicant requests this *differential fee* be paid from our Deposit Account No. 03-1952.

Pursuant to 37 C.F.R. § 1.28(e), the calculated deficient "large entity fees" are based upon the amount of the fee in effect at the time the deficiency is paid in full. In the event the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 473912000100.

Dated: September 29, 2004

Respectfully submitted,

By 

Rick Shoop

Registration No.: 45,763

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304

(650) 813-5804

pa-923524

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